



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Batra et al.)	
)	
Serial No.: 09/894,921)	Examiner:
)	Sharareh, Shahnam J.
Docket No.: 20243CA)	
)	Art Unit:
Filed: June 28, 2001)	1617
)	
For: "COMPRESSED TABLET FORMULATION")	

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This information disclosure statement is being submitted with and forms part of a Request for Continued Examination of the above-identified application. Applicants submit the information set forth below in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. It is believed that the following information is cumulative to information already of record (i.e., US 6,238,695), but is being submitted nonetheless out of an abundance of caution:

Before the filing date of the instant application, the Du Pont-Merck Pharmaceutical Company (later Du Pont Pharmaceuticals Company and now Bristol-Myers Squibb Pharma Company) disclosed in confidence to the Applicants that certain efavirenz-containing solid dosage formulations containing large amounts (i.e., greater than 10 wt.%) of sodium starch glycolate as superdisintegrant had been prepared. Representative of the formulations prepared by Du Pont Merck and disclosed to the Applicants are Examples 1 to 3 in US 6,238,695, which is of record.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By Christine M. Merck & Co., Inc. Date 10/2/03

INFORMATION DISCLOSURE STATEMENT

The subject matter disclosed by Du Pont-Merck and the invention claimed in the instant application were not owned by the same person or subject to an obligation of assignment to the same person at the time the invention was made.

This submission is not to be construed as an admission that any of the submitted information is "prior art" with respect to the claimed invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information disclosed is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

It is requested that the Examiner consider the information set forth above and make it of record. It is further requested that the Examiner return an initialed copy of the first page of this statement with the next communication to Applicants to signify that the statement has been considered and made of record.

Since this statement is being filed as part of a Request for Continued Examination under 37 C.F.R. 1.114, no fee is believed to be due.

Respectfully submitted,

By:

Kenneth R. Walton

Kenneth R. Walton, Reg. No. 32,951

Attorney for Applicants

MERCK & CO., Inc.

P.O. Box 2000

Rahway, New Jersey 07065-0907

Tel.: (732) 594-3462

Date: October 2, 2003